

COMMUNITY CARE LICENSING DIVISION



UPDATE

July 2008



To the Child Care Community

It's summertime and the living is easy! We are into the sixteenth year of our efforts to keep the child care community informed about licensing programs and services. The Updates continue to be an important method for sharing information. We appreciate your support in sharing these Updates with those in your organization and others interested in child care issues.

Those of you who receive these Updates via email can find the topic of your choice in each Update without having to scroll down. Just put your cursor over the blue highlighted subject heading that you wish to review, hold down the control and shift buttons at the same time, and you will be taken to that area of the Update.

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A TRIBUTE TO WILLIAM C. JORDAN

We are saddened to report the loss of William “Bill” Jordan, Acting Chief of the Technical Assistance and Policy Branch (TAPB), who passed away suddenly at home on May 1, 2008.

Bill had recently retired after devoting 30 years to the California Department of Social Services (CDSS). Bill graciously agreed to serve as Acting Chief of TAPB when Barbara Rooney departed. Over the course of his many years with the Department, Bill worked in and contributed to virtually every aspect of the Community Care Licensing Division (CCLD), including field operations and several management and Career Executive Assignment positions. Bill was instrumental in developing CCLD’s Caregiver Background Check Bureau, a critical component in ensuring the safety of children and adults in Community Care Facilities. Bill also served with distinction on the National

Association for Regulatory Administration Board of Directors for several years. Bill was always ready, willing, and able to meet whatever challenge was presented to him.

We will always remember Bill's upbeat, positive attitude and contagious laugh. Bill will be sadly missed by all.



BEAT THE HEAT!

California summer temperatures often reach the 80s, 90s, and even the 100s, which may cause heat-related problems for children in care who are active or have health conditions that make them vulnerable to the heat. CCLD reminds licensees to take heat-related precautions during the warmer summer months. Some general precautions include:

- Making sure that the temperature in your facility or home is safe and comfortable
- Asking children in care to drink water and other fluids and having these within easy access
- Reducing physical activity and staying indoors during the hottest part of the day
- Opening windows to allow air circulation and using fans as needed
- Avoiding hot foods and heavy meals

If a child becomes ill with heat exhaustion or heat stroke, it is important to call 911 right away. Shade and water should be used to cool the child down. For more detailed tips and information that licensees can follow to prevent heat-related illnesses, please visit the CDSS website at: <http://www.cdss.ca.gov/cdssweb/entres/pdf/HeatTips.pdf>. Also, [Click here](#) for tips on how to prevent problems related to extreme heat.

IMPACT OF WILD FIRES AND SMOKE INHALATION

Children are especially vulnerable to environmental hazards. They eat more food, drink more liquids and breathe more air than adults on a pound for pound basis. Children are in a critical period of development when toxic exposures can have profound negative effects, and their exploratory behavior often places them in direct contact with materials that adults would avoid.

Wildfires expose children to a number of environmental hazards, e.g., fire, smoke, psychological stimuli, and the byproducts of the combustion of wood, plastics, and other chemicals released from burning structures and furnishings. During the acute phase of wildfire activity, the major hazards to children are fire and smoke. Acute stress from fire activity and response to the fires and the emotional responses of those around them can also impact children during this time. Their lungs are still in the process of developing and their airways are narrower than adults. They spend more time outdoors, they inhale more air per pound of body weight, and they engage in more vigorous activity outside. As a result, they are more susceptible to the health effects of smoke.

Therefore, it is recommended that licensees stay up-to-date on [air quality reports in their area](#). If air quality is reported as unhealthy, use common sense and:

- **STAY INDOORS!**
- Keep windows and doors closed
- If available and if needed for comfort, run an air-conditioner on the “re-circulate” setting. Be sure to change the filter at appropriate intervals to keep it working efficiently
- Reduce activity, e.g., don’t exercise, to reduce the amount of air contaminants inhaled
- When riding in a car, keep the windows and vents closed. If comfort requires air circulation, turn the air-conditioning on “re-circulate” to reduce the amount of outside air drawn into the car.

[AIRNow](#), a cross-agency U.S. Government web site provides a wealth of information for parents, teachers, children and the general public regarding air quality and how smoke from fires can affect your health.

[Environmental Hazards for Children in the Aftermath of Wildfires](#) (developed by the Pediatric Environmental Health Specialty Units and the American Academy of Pediatrics), provides detailed information regarding the affects of smoke from fires on children.

SUMMER SAFETY TIPS FOR KIDS

It’s summertime and we all know what that means: children are out of school and on the streets, and the weather is warm and sunny and conducive for outdoor play such as swimming, bicycling, etc. This also means that everyone needs to heed all child safety warnings. A child dies every few hours from an accidental summer injury. Summer is known by emergency personnel as “trauma season” since preventable, accidental deaths and serious injuries to children increase dramatically during the summer months.

According to *The Safe Kids U.S. Summer Safety Ranking Report*, a new study released today by Safe Kids Worldwide, an average of 17 children a day, or 2,143 children in total, died from May 1st to August 31st in 2004 due to injuries, many of which could have been prevented. Also in 2004, 2.4 million children made emergency room visits due to accidental injuries, many of which resulted in paralysis, brain damage and other serious disabilities. Following are some helpful tips and information which, if adhered to, could prevent injuries or even death to children.

Children in Vehicles

Licensees are responsible for providing supervision to children at all times while in care. This responsibility includes never leaving children unattended in motor vehicles. On a

warm, sunny day, even at temperatures as mild as 60 degrees Fahrenheit, a closed vehicle can heat up to dangerous levels within minutes, and children left in this environment can face serious injury or even death. Because heat affects children more quickly and severely than adults, they are especially vulnerable.

To address these dangers, the Unattended Child in Motor Vehicle Safety Act (also known as "Kaitlyn's Law") was incorporated into the California Vehicle Code (Division 6.7), and became effective on January 1, 2002. This law makes it an infraction, punishable by a fine of \$100, for a parent, guardian or other person responsible for a child six years of age or younger, to leave that child in a motor vehicle without supervision. In addition, any care provider who endangers a child in this manner can expect action against their license.

Pool Safety

One issue that deserves repeating every summer season is safety around pools and other bodies of water. Drowning is a major cause of death among children under five years of age in California. It can happen quickly and silently in as little as two inches of water. Extra supervision is important when children play near water - not just around pools and hot tubs, but also near buckets, wading pools and toilets.

Please ensure that you are in compliance with all licensing regulations relative to pools and other bodies of water [Title 22, Family Child Care Home (FCCH) Regulation Section 102417(5)-(6); Child Care Center (CCC) Regulation Section 101238(e)-(f)]. Licensing regulations require that providers use covers or fences to make pools and other bodies of water inaccessible to children. Licensing policy requires that standard fencing must be permanently in place to make sure the pool or body of water is not accessible. Approved mesh fences that meet regulatory requirements may be used, provided it remains in place whenever licensed child care is being provided. Covers, fences and gates used to prevent access to swimming pools must be inspected and approved by licensing staff before their use. Licensing staff will be especially vigilant in reviewing water safety when they visit facilities with pools, spas, or other bodies of water. All deficiencies, including such things as gates not being latched or covers not correctly installed and locked, will be taken very seriously, as even minor problems can have tragic consequences. Please be sure that pool gate springs and latches are in good repair and properly maintained so that the gate continues to self-close and self-latch.

A waiver may be granted to permit gates that are not equipped with self-latching or self-closing devices or which do not open away from the pool. These waivers shall be granted only if the licensee agrees to the following conditions: 1) There is at least one access gate to the pool that meets the regulatory requirements. 2) This gate is used as the primary access to the pool. 3) The remaining gates shall be kept locked at all times. If you receive a waiver to lock a pool gate, the key or combination must be readily available to all adults, but not accessible to children.

If you have added a pool, made changes to your fencing arrangements, or have any questions about whether your pool meets all licensing requirements, please contact your local licensing office. Click here for some quick tips on [Preventing Childhood Drowning](#).

Bicycle Safety

It is important that parents, caregivers, and other adults model and teach children proper bicyclist behavior so that children learn the rules of the road and obey all traffic laws. Click here for some handy quick tips on [Preventing Injuries to Children Riding Bicycles](#).

Crossing Streets Safely

Teach children the following pedestrian safety rules:

- Do not cross the street alone if you're younger than age 10
- Never play in the road
- Always try to walk on paths or sidewalks. If there are no sidewalks or paths, walk facing road traffic
- Look both ways for danger before and while crossing the street
- Walk; do not run, into the street
- Dress in bright colors or wear retro-reflective materials so drivers can easily see you

Please be mindful of these increased summertime risks to children. Take the precautions necessary and provide the supervision required to keep our children safe. For more information regarding summer safety for children, please visit the Safe Kids USA website: [Make it a Safe Kids Summer](#).

Please remember, in addition to having these safeguards in place, proper supervision is a key ingredient to keeping children safe.

Visual Supervision

Always remember that nothing takes the place of good old supervision. The requirement to include visual observation means the facility is not just maintaining the staffing ratio required by regulations, but is also in the same area or play yard with the children. This does not mean direct line of sight, so children can be free to play in a playhouse or playground structure. It does mean, however, that staff are required to continually pan the area and engage in frequent movement about the play area. This is an important responsibility in order to prevent children from leaving the facility due to lack of visual supervision and to prevent injuries, accidents and other health and safety risks from occurring. Visual supervision is not met by talking on a cell phone or having general/social conversations with another staff person, as this draws a staff person's attention to something other than supervising children.

FAMILY CHILD CARE HOME LICENSING IN TEHAMA COUNTY

Tehama County, who was under contract with the CDSS to license FCCHs, has decided to return that function to the State. Effective July 1, 2008, the Chico Regional Office assumed the responsibility of licensing FCCHs in that County. Tehama County, at the time of the transfer, had 103 licensed FCCHs.

LICENSING FEES ISSUES

As promised in our last Child Care Update in May, CCLD has posted a document on the CCLD website which addresses [Frequently Asked Questions \(FAQs\) regarding fee issues](#). Please take the time to review this information. The FAQs may be updated periodically, so we encourage you to visit this webpage routinely to stay up-to-date on fee issues.

ACCESS TO TOXINS AND POISONS

Regulation requires that storage areas for poisons shall be locked. A lock is defined as: a key or combination-operated mechanism used to fasten shut a door, lid, or the like. (Products advertised as child proof devices and safety latches are not considered locks unless they are key or combination-operated.) For purposes of the locking requirement, poison is defined to include only the most lethal substances, most often those designed specifically for killing, such as bug spray, rat poison, weed killer, etc.

A number of other common household items are clearly potentially hazardous to the health of children and need to be made inaccessible. Something which is inaccessible is capable of being reached only with great difficulty or not at all because of its location, or because of some kind of barrier or device that effectively prevents a child from getting to it. Placing an item in a cupboard above the refrigerator is considered to be making it inaccessible. A hook and eye latch on a cabinet or door, placed where a child would be unable to reach it would not be considered a lock (see above) but would be acceptable as a means of keeping items inaccessible. Products advertised as child proof devices or safety latches can be used to make items inaccessible, as long as they are correctly installed, are sturdy enough to withstand pulls and tugs from children, and are easy for an adult to install and use. Safety latches are not a guarantee of protection, but they can make it more difficult for children to reach dangerous substances. No device is completely childproof; proper supervision is always necessary and required.

Examples of hazardous materials which need be to kept out of the reach of children include:

- Kitchen: all sharp utensils and cutlery, cleaning supplies, medicines, liquor cabinets, plastic bags, sharp or small things children can swallow, etc.

- Bathroom: shampoo, mouthwash, toothpaste, medicines, perfumes/lotions, cosmetics, solvents, etc.
NOTE: This does not mean that children can't use hand soap or soap from a pump dispenser to wash their hands, as long as there is proper supervision to ensure they don't ingest the soap.
- Garage and outdoors: solvents, gasoline, oil, turpentine, paint, sharp tools, lawnmowers, gardening tools and any other possible danger to children, etc.

The Consumer Products Safety Commission publication "Childproofing Your Home" has a listing of 12 Safety Devices to Protect Your Children. This publication may be accessed at www.cpsc.gov; click on CPSC Publication; click on Child Safety; scroll down to the publication

ACCESS TO LICENSING FORMS

If you are a regular visitor to the CCLD website, you are aware of the new look and feel and may be familiar with the location of things. However, we have been informed that there are many who are struggling with the new format and having a difficult time with finding things such as access to forms, especially to forms that are translated into multiple languages. For those of you who have had difficulty with this, following are some instructions on how to access forms and forms which are available in multiple languages:

- At the top of the main CCLD webpage where you see the folder tabs, please click on "Forms"
- Then click on [By Program \(Alphabetically\)](#)
- Scroll down to Community Care Licensing: ([LIC](#)), ([PUB](#)) and Trustline: ([TLR](#)). This will take you to forms in English
- *For access to forms in multiple languages*, look to the left in the gray navigation bar area and click on: [Translated Forms](#)

MEGAN'S LAW WEBSITE

AB 2196 (Spitzer), Chapter 211, Statutes of 2006, required CDSS to include a reference to the Megan's Law Website on the CCC Notification of Parents' Rights form ([LIC 995](#)) and Poster ([PUB 393](#)), and the FCCH Notification of Parents' Rights form ([LIC995A](#)) and Poster ([PUB 394](#)). The purpose of this legislation was to improve the community notification of sex offenders, give parents the opportunity to introduce themselves to the Megan's Law web site and provide protection for child care facilities. As of January 2007, licensees are required to ensure the revised posters are up and the revised Notification of Parents Rights forms are provided to parents enrolling on or after that date.

The CDSS encourages you, as child care providers, to check the Megan's Law Website at www.meganslaw.ca.gov on a routine basis. It is important to be aware of your

surroundings which will assist in your ability to provide adequate protections to the children in your care.

BUDGET UPDATE

As of the writing of this Update, the budget has not yet passed. At this point, we are uncertain as to the impact the budget will have on our ability to visit facilities. We encourage you to conduct self-assessments using the self-assessment checklist which was mailed to your facility in late June 2008. You may also use the [self-assessment guides](#) located on the CCLD website under the Tools/Resources tab at the top of the page.

LICENSING MANAGEMENT CHANGES

Effective July 1, 2008, Carla Caldwell is the new Regional Manager for the Los Angeles Northwest Office. Carla was originally appointed as the Regional Manager for the Inland Empire Regional Office in Riverside.

We are currently recruiting to fill the Regional Manager position in the Inland Empire Regional Office.

LICENSED CHILD CARE STATISTICS

Enclosed are the most recent [statistics on licensed child care facilities and capacities](#). Further breakouts by category and location are available.

SUMMARY

If you have questions about items included in this Update, or suggestions for future topics, please contact Gloria Merk, Program Administrator, at (916) 229-4500. You may also visit our internet website at www.cclld.ca.gov to obtain copies of licensing Updates, office locations, provider letters, regulations, forms, the Licensing Evaluator Manual, or to learn more about licensing programs and services.

Sincerely,

Original signed by Jo Frederick

JO FREDERICK
Deputy Director
Community Care Licensing Division

Enclosures